

Item No. 7.2	Classification: OPEN	Date: 24 October 2012	Meeting Name: Planning Sub-Committee B
Report title:	Development Management planning application: Council's own development Application 12/AP/2376 for: Council's Own Development - Reg. 3 Address: CAMBERWELL NEW CEMETERY, BRENCHLEY GARDENS, LONDON, SE23 3RD Proposal: To create a new section of road to link the crematorium to the chapel in Camberwell New Cemetery. A small section of existing garden will be removed to install a new carriageway linking the existing access roads together including new kerbs, footway and removal of trees.		
Ward(s) or groups affected:	Peckham Rye		
From:	Head of Development Management		
Application Start Date 13 September 2012		Application Expiry Date 8 November 2012	

RECOMMENDATION

- 1 Grant detailed planning permission subject to conditions.

BACKGROUND INFORMATION

- 2 The application has been referred to the Planning Sub-Committee for determination as the application site is located on Metropolitan Open Land. This is a Council's Own application.

Site location and description

- 3 The application site is a small section of footpath adjacent to Camberwell New Cemetery Crematorium. It links an existing vehicular access within the cemetery grounds with the roundabout to the front of the crematorium building. There are some mature trees/shrubs forming part of the crematorium landscaping.

The site lies within the Honor Oak Rise Conservation Area and the nearby Crematorium is Grade II listed.

Details of proposal

- 4 Planning consent is sought for the creation of a new carriageway linking the existing access roads within the cemetery and crematorium grounds. This will include the widening of the footpath to accommodate funeral cortege vehicles and resurfacing works including new kerbs, new footway and removal of four trees and several shrubs.

The reason for the proposal is to improve accessibility for visitors attending funerals.

The existing road layout has led to problems of congestion and overcrowding, leading to delays. The new road section will allow vehicles to enter from one end and exit from the other, creating an efficient one way system.

The gated access to the site will remain in order to ensure the new section of highway is only used by funeral cars and does not create a general access route through the cemetery.

Planning history

- 5 None relevant to this application.

Planning history of adjoining sites

- 6 None of relevance.

KEY ISSUES FOR CONSIDERATION

Summary of main issues

- 7 The main issues to be considered in respect of this application are:
- a) The principle of the development in terms of land use and conformity with strategic policies.
 - b) Amenity and heritage impacts
 - c) Transport impacts
 - d) Loss of trees

Planning policy

Core Strategy 2011

- 8 Strategic Policy 2 - Sustainable transport
Strategic Policy 11 - Open spaces and wildlife
Strategic Policy 12 - Design and conservation
Strategic Policy 13 - High environmental standards

Southwark Plan 2007 (July) - saved policies

- 9 2.1 - Enhancement of community facilities
3.2 - Protection of amenity
3.12 - Quality in design
3.13 - Urban design
3.15 - Conservation of the historic environment
3.16 - Conservation areas
3.17 - Listed buildings
3.18 - Setting of listed buildings, conservation areas and world heritage sites
3.25 - Metropolitan open land
5.2 - Transport impacts.

National Planning Policy Framework (NPPF)

- 10 The NPPF came into effect on 27 March 2012. It aims to strengthen local decision making and reinforce the importance of up-to-date plans. The policies in the NPPF are

material considerations to be taken into account in making decisions on planning applications. The NPPF sets out the Government's commitment to a planning system that does everything it can do to support sustainable growth and a presumption in favour of sustainable development.

- 7) Requiring good design
- 11) Conserving and enhancing the natural environment
- 12) Conserving and enhancing the historic environment

Principle of development

- 11 In land use terms there are no objections to the proposal and there will be no conflict of use detrimental to amenity.

The site is designated as Metropolitan Open Land. Use for cemetery purposes is specifically listed as an appropriate use of MOL. Given that the work is required to support the cemetery operation of the land, it is considered that the development is compliant with saved Policy 3.25 of the Southwark Plan.

Environmental impact assessment

- 12 An Environmental Impact Assessment is not required for a minor application of this nature. No significant environmental effects would arise.

Impact of proposed development on amenity of adjoining occupiers and surrounding area

- 13 The development will have no adverse impact on the amenity of any surrounding or nearby occupiers. The visual amenity of the site may change slightly due to the removal of the four trees and shrubbery. However, this is not considered to have an adverse impact on the wider site context, and will be mitigated by tree replanting as recommended by the Urban Forester.

Impact of adjoining and nearby uses on occupiers and users of proposed development

- 14 There will be no conflict of use detrimental to amenity.

Traffic issues

- 15 The Transport Team have been consulted on the proposal and raise no objections. The new section of highway is solely for the use of funeral cars and as such will have no adverse impact on the local transport network.

Design issues

- 16 In design terms the proposal is acceptable. The development consists mainly of groundworks and as such raises no visual amenity issues.

Impact on character and setting of a listed building and/or conservation area

- 17 The site lies within the Honor Oak Park Conservation Area and sits adjacent to the nearby Camberwell New Cemetery Crematorium, a Grade II listed building. In this instance the proposal constitutes groundworks only and as such no above ground development will take place that will harm either the character of the conservation area or the setting of the listed building. The main impact of the development will be the removal of the four trees but this can be mitigated by replanting and as such is not

considered to have a significant adverse impact on the identified heritage assets.

Impact on trees

- 18 The Urban Forester and Ecology Officer have been consulted on the proposed development. In terms of the removal of trees, the Urban Forester raises no objections subject to a condition to secure replanting. The relevant condition will be added to any consent issued.

The Ecology Officer raises no concerns to the removal of the trees and shrubbery. The area contains a mix of non native ornamental shrubs and some trees. The species mix includes mahonia, berberis and snowberry, thus the area has negligible ecological value and contains limited bird nesting habitat.

Planning obligations (S.106 undertaking or agreement)

- 19 No planning obligations or S106 Agreements are required for an application of this nature.

Sustainable development implications

- 20 The proposal raises no sustainable development implications.

Other matters

- 21 S143 of the Localism Act 2011 states that any financial sum that an authority has received, will, or could receive in the payment of CIL as a material 'local financial consideration' in planning decisions. The requirement for Mayoral CIL is a material consideration. However, the weight to be attached to a local finance consideration remains a matter for the decision-maker. Mayoral CIL is to be used for strategic transport improvements in London, primarily Crossrail.

The proposed development does not create floorspace or a building that people would visit and as such is not CIL liable.

Conclusion on planning issues

- 22 The proposed works to create a new carriageway linking the existing access roads within the cemetery grounds and the crematorium grounds for funeral cars only is considered acceptable. The loss of four trees on site can be mitigated by replanting which will be a conditioned requirement of any consent issued. The development will have no adverse impact on the character or setting of either the listed crematorium or the Honor Oak Park Conservation Area and will have no adverse impact on the Metropolitan Open Land within which the application site is located. The development complies with the relevant saved policies of The Southwark plan 2007 (July), the strategic policies of The Core Strategy 2011 and the provisions of The National Planning Policy Framework 2012. Given the above it is recommended that detailed planning permission be granted subject to conditions.

Community impact statement

- 23 In line with the Council's Community Impact Statement the impact of this application has been assessed as part of the application process with regard to local people in respect of their age, disability, faith/religion, gender, race and ethnicity and sexual orientation. Consultation with the community has been undertaken as part of the application process.

- a) The impact on local people is set out above.
- b) There are no issues relevant to particular communities/groups.
- c) There are no likely adverse or less good implications for any particular communities/groups.

Consultations

- 24 Details of consultation and any re-consultation undertaken in respect of this application are set out in Appendix 1.

Consultation replies

- 25 Details of consultation responses received are set out in Appendix 2.
- 26 Summary of consultation responses
All comments received in response to the proposed development have been summarised and addressed below;

Ecology Officer - No objections.

Transport - No objections.

Urban Forester - No objections however suitable replanting should be conditioned for replacement trees.

Response - Noted and agreed, the relevant condition will be attached to any consent issued.

Human rights implications

- 27 This planning application engages certain human rights under the Human Rights Act 2008 (the HRA). The HRA prohibits unlawful interference by public bodies with conventions rights. The term 'engage' simply means that human rights may be affected or relevant.
- 28 This application has the legitimate aim of providing improved access for funeral cars. The rights potentially engaged by this application, including the right to a fair trial and the right to respect for private and family life are not considered to be unlawfully interfered with by this proposal.

SUPPLEMENTARY ADVICE FROM OTHER OFFICERS

- 29 None.

BACKGROUND DOCUMENTS

Background Papers	Held At	Contact
Site history file: TP/2339-A Application file: 12/AP/2376 Southwark Local Development Framework and Development Plan Documents	Chief Executive's Department 160 Tooley Street London SE1 2QH	Planning enquiries telephone: 020 7525 5403 Planning enquiries email: planning.enquiries@southwark.gov.uk Case officer telephone: 020 7525 5365 Council website: www.southwark.gov.uk

APPENDICES

No.	Title
Appendix 1	Consultation undertaken
Appendix 2	Consultation responses received
Appendix 3	Recommendation

AUDIT TRAIL

Lead Officer	Gary Rice, Head of Development Management	
Report Author	Terence McLellan, Planning Officer	
Version	Final	
Dated	4 October 2012	
Key Decision?	No	
CONSULTATION WITH OTHER OFFICERS / DIRECTORATES / CABINET MEMBER		
Officer Title	Comments Sought	Comments included
Strategic Director, Finance & Corporate Services	No	No
Strategic Director, Environment and Leisure	No	No
Strategic Director, Housing and Community Services	No	No
Director of Regeneration	No	No
Date final report sent to Constitutional Team	12 October 2012	

Consultation undertaken

- 32 **Site notice date:** 20/09/2012
- 33 **Press notice date:** 27/09/2012
- 34 **Case officer site visit date:** 20/09/2012 and 02/10/2012
- 35 **Neighbour consultation letters sent:**

Due to the minor nature of the application and the location of the application site well within the cemetery grounds it was considered proportionate to conduct consultation by means of site notices and press adverts only. As such no neighbour letters have been sent. It is noted that the consultation period does not end until the 20th October and as such any consultation responses received in the interim will be fully addressed in an addendum report.

Internal services consulted:

- 36 Ecology Officer
Transport Surgery
Urban Forester

Statutory and non-statutory organisations consulted:

- 37 No consultations required.

Neighbours and local groups consulted:

- 38 Due to the minor nature of the application and the location of the application site well within the cemetery grounds it was considered proportionate to conduct consultation by means of site notices and press adverts only. As such no neighbour letters have been sent.

Re-consultation:

- 39 Re-consultation not required.

Consultation responses received

Internal services

40 Ecology Officer - No objections.

Transport - No objections.

Urban Forester - No objections however suitable replanting should be conditioned for replacement trees.

Response - Noted and agreed, the relevant condition will be attached to any consent issued.

Statutory and non-statutory organisations

41 N/A

Neighbours and local groups

42 No response to date.